

209-06/MU

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
GENERAL NATIONAL MARITIME
TRANSPORT COMPANY,

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: AUG 27 2007
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06 CIV. 3534 (LTS)

Plaintiff,

ORDER

-against-

COMPAGNIE ALGERO-LIBYENNE DE
TRANSPORT MARITIME (CALTRAM),Defendant.
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WHEREAS, Plaintiff GENERAL NATIONAL MARITIME TRANSPORT COMPANY ("GNMTC") commenced this action with the filing of a Summons and Complaint on May 10, 2006; and

WHEREAS, Plaintiff attempted to serve the Summons and Complaint upon Defendant pursuant to FRCP 4(d) by Fedex delivery on or about July 27, 2006, the Fedex package having been delivered to Defendant, and Defendant having failed to acknowledge receipt and execute the Waiver of Service form; and

WHEREAS, Plaintiff further served Defendant in Algeria via the Clerk of the Court pursuant to FRCP 4(f)(c)(ii) on July 2, 2007 via DHL; and

WHEREAS, DHL subsequently advised that Defendant had "moved" and no longer maintains an office at 19 rue des Freres Bouadou, Birmandreis, Alger, Algeria; and

WHEREAS, Defendant maintains an office in Tripoli, Libya; and

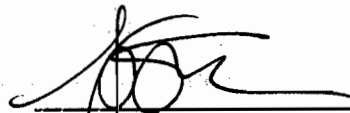
WHEREAS, Defendant is represented by counsel in the ongoing underlying arbitration proceeding between Plaintiff and Defendant at London, England;

NOW, THEREFORE, IT IS HEREBY ORDERED, that service of the Summons and Complaint in the referenced matter via DHL upon Defendant CALTRAM at its office in Tripoli, Libya, together with service via DHL upon Defendant's Attorney of Record in the London arbitration between Plaintiff and Defendant, shall be deemed ^{authorized} ~~valid~~ service of process upon Defendant; and

IT IS FURTHER ORDERED, that if Defendant does not answer within 30 days as required under the Federal Rules of Civil Procedure, that Plaintiff may provide notice of motion of default judgment upon Defendant by sending said notice to Defendant's Tripoli, Libya address and Defendant's London Attorney of Record by DHL and such service will be deemed ^{authorized} ~~effective~~ pursuant to FRCP 4(f)(3).

SO ORDERED:

Dated: New York, New York
August 22, 2007



HON. LAURA TAYLOR SWAIN, U.S.D.J.